

SENATE BILL REPORT

SB 5643

As Reported By Senate Committee On:
Human Services & Corrections, February 21, 2007
Ways & Means, March 5, 2007

Title: An act relating to children and families of incarcerated parents.

Brief Description: Addressing children and families of incarcerated parents.

Sponsors: Senators Regala, Delvin, Carrell, Hargrove, Keiser, Kohl-Welles, Shin, Tom and Kline.

Brief History:

Committee Activity: Human Services & Corrections: 2/13/07, 2/21/07 [DPS-WM].
Ways & Means: 3/05/07 [DP2S].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5643 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Kiki Keizer (786-7430)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5643 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Richard Ramsey (786-7412)

Background: 2005 legislation required the Department of Corrections (DOC) and the Department of Social and Health Services (DSHS) to collaborate in establishing an oversight committee to develop an interagency plan to provide services and supports to Washington children whose parents are in jail or prison.

The oversight committee completed its final report June 30, 2006.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The Secretary of the DOC must review current DOC policies and assess the adequacy and availability of programs for prisoners with children. The DOC must adopt policies and programs to encourage familial contact and engagement, with the goal of fostering normal child development, reducing recidivism, and reducing the potential for intergenerational incarceration. The Secretary of the DOC must designate a policy staff position to assist in this endeavor. Certain duties of that policy staff person are specified.

The Secretary of the DSHS must review current DSHS policies and assess the adequacy and availability of programs for children and families with a family member in jail or prison. The DSHS must adopt policies and programs to foster normal child development, reduce recidivism, and reduce the potential for intergenerational incarceration. The Secretary of the DSHS must designate a policy staff position to assist in this endeavor. Certain duties of that policy staff person are specified.

The Director of the Department of Early Learning (DEL) must review current DEL policies and assess the adequacy and availability of programs for children and families with a family member in jail or prison. The DEL must adopt policies and programs to foster normal child development for the children of incarcerated parents and to reduce the potential for intergenerational incarceration. The Secretary of the DEL must designate a policy staff position to assist in this endeavor. Certain duties of that policy staff person are specified.

The Superintendent of Public Instruction must review current policies of the Office of the Superintendent of Public Instruction (OSPI) and assess the adequacy and availability of programs for children and families with a family member in jail or prison. The OSPI must adopt policies and programs to facilitate normal child development and academic progress, while reducing the potential for intergenerational incarceration. The Superintendent must designate a policy staff position to assist in this endeavor. Certain duties of that policy staff person are specified.

The Department of Community, Trade, and Economic Development (CTED) must establish an advisory committee to monitor, guide, and report on recommendations relating to policies and programs for children of incarcerated parents. The committee must update the Legislature and the Governor annually on the progress being made with respect to their recommendations.

The sum of \$500,000 is appropriated in the fiscal year ending in 2008, and \$700,000 is appropriated in the fiscal year ending in 2009, from the general fund to the CTED for the purpose of enhancing programs and services to children and families with a family member in jail or prison.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): A sentence is added to the end of the intent section indicating that in all efforts to build relationships between prisoners and their children, the safety of the children will be paramount. Certain references are changed from "oversight committee" to "advisory committee." Agencies are required to report to the advisory committee information they obtain in connection with their efforts under the bill. Requiring DSHS, DEL, and OSPI to evaluate data with respect to recidivism and intergenerational incarceration is eliminated. Requiring DOC to emphasize "normal child development" in its programs is eliminated. The focus of the advisory committee

recommendations to CTED is set out. It is indicated that programs must aid families with a history of sexual assault or domestic violence.

EFFECT OF CHANGES MADE BY RECOMMENDED SECOND SUBSTITUTE AS PASSED COMMITTEE (Ways & Means): The appropriations are removed.

Appropriation: \$500,000 in fiscal year 2008 and \$700,000 in fiscal year 2009.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Human Services & Corrections): PRO: It's important to stop or reduce the cycle of intergenerational incarceration. It's also important to reduce recidivism and to ensure that persons who leave prison successfully reintegrate into the community. If prisoners stay connected to family and to their children, where appropriate, they are more likely to successfully transition back into the community.

There are gaps in the programs and services that are available to meet the needs of children of incarcerated parents. This is a vulnerable and hidden population. Many agencies have a significant influence on these youth but lack critical understanding of their needs. Committing monetary and staff resources to this project, and taking steps to ensure communication and coordinated efforts between agencies, is essential to making the project successful and helping to support the development and long-term success of these kids.

All of these kids have a parent who has been taken out of their lives. This can have a significant impact on development. They may be faced with social stigma, if they talk about their situation with others. One laudable aspect of the bill is that it provides for training for parents, caregivers, and professionals who work with these kids.

From a child's point of view, it helps to know that you are not the only person with a mom in prison. It helps to talk to other kids in the same position and to stay connected to your parent. It's also good to get support from other adults.

Measuring program outcomes is important to make sure that we are funding the best programs.

OTHER: The DOC offers a number of programs for prisoners who are parents and their children.

Persons Testifying (Human Services & Corrections): PRO: Senator Regala, prime sponsor; Grace Chien, Girl Scouts - Totem Council; Kathy Houston; Delana Smith, Girl Scouts - Pacific Peaks; Cathy Garland, Children's Home Society of Washington.

OTHER: Alice Paine, DOC; Bev Emery, CTED - Office of Crime Victims Advocacy.

Staff Summary of Public Testimony (Ways & Means): PRO: This bill grew out of a task force looking at the children of incarcerated parents. We're facing multi-generational patterns of incarceration. Early intervention can break this cycle. Offenders' interaction with their children can create an incentive for them to change their behavior. This bill will help

families, especially children. When offenders are released from custody, they'll be better prepared to deal with their families. This is part of a movement that's not just "hard on crime;" it's also "smart on crime."

Persons Testifying (Ways & Means): PRO: Senator Regala, prime sponsor; Paul Benz, Luthern Public Policy Office, Washington Association Of Churches.